

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 876 - HB 1396

March 8, 2023

SUMMARY OF BILL: Beginning July 1, 2023, prohibits a consumer reporting agency from including on a consumer report a record of a civil action that is filed in this state, if the action is dismissed or any judgment issued in the action is satisfied. Establishes a violation of such is an unfair and deceptive act or practice under the *Consumer Protection Act of 1977*. Establishes the Attorney General and Reporter (AG) has investigative and enforcement authority to bring actions for an alleged violation. Prohibits costs of any kind or nature from being taxed against the AG or the state in actions commenced related to such violations.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Any increase in the number of complaints handled by the AG is estimated to be not significant and can be handled by existing staff during normal work hours.
- Committing an unfair or deceptive practice under the *Consumer Protection Act of 1977* is a Class B misdemeanor offense.
- There will not be a sufficient number of prosecutions for state or local government to experience any significant increase in revenue or expenditures.
- Any additional AG duties resulting from the proposed legislation will be absorbed using existing resources.
- Any additional workload on the courts, as a result of this legislation, can be accommodated within existing resources and personnel.
- Based on the Fiscal Review Committee's 2008 study and the Administrative Office of the Courts' 2012 study on collection of court costs, fees, and fines, collection in criminal cases is insignificant. The proposed legislation will not significantly change state or local revenue.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- Any impact to commerce or jobs in Tennessee is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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